

# HOUSE BILL 348

F2, C8, L6

0lr0358  
CF SB 334

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By: **Delegates Pena–Melnik, Barnes, Frush, Healey, and Ross**

Introduced and read first time: January 27, 2010

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 22, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Public Institutions of Higher Education~~ **Public Senior Higher Education**  
3 **Institutions** – New Design and Substantial Exterior Modification – Notice ~~and~~  
4 **Consultation**

5 FOR the purpose of requiring certain institutions of higher education to make certain  
6 efforts to provide certain notice to ~~and consult with certain communities~~ certain  
7 persons and local governing bodies under certain circumstances; and generally  
8 relating to providing notice ~~and consulting with communities before designing a~~  
9 ~~new structure or substantially modifying the exterior of an existing structure~~  
10 regarding the new design or substantial exterior modification of structures at  
11 institutions of higher education.

12 BY adding to

13 Article – Education

14 Section 15–113

15 Annotated Code of Maryland

16 (2008 Replacement Volume and 2009 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Education**

20 **15–113.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1           **(A) THIS SECTION APPLIES ONLY TO THE FOLLOWING PUBLIC SENIOR**  
 2 **HIGHER EDUCATION INSTITUTIONS:**

3                   **(1) SALISBURY UNIVERSITY;**

4                   **(2) ST. MARY'S COLLEGE OF MARYLAND;**

5                   **(3) TOWSON UNIVERSITY; AND**

6                   **(4) UNIVERSITY OF MARYLAND, COLLEGE PARK.**

7           **(B) NOTWITHSTANDING TITLE 11, SUBTITLE 1 OF THE STATE**  
 8 **GOVERNMENT ARTICLE, IN CONNECTION WITH THE DESIGN OF A NEW**  
 9 **STRUCTURE OR THE SUBSTANTIAL EXTERIOR MODIFICATION OF AN EXISTING**  
 10 **STRUCTURE ON ANY LAND OWNED, LEASED, OR OPERATED, ~~WHOLLY OR PARTLY,~~**  
 11 **BY A PUBLIC ~~INSTITUTION OF HIGHER EDUCATION,~~ SENIOR HIGHER EDUCATION**  
 12 **INSTITUTION LISTED IN SUBSECTION (A) OF THIS SECTION, IF THE NEW**  
 13 **STRUCTURE OR MODIFICATION OF THE STRUCTURE IS ADJACENT TO OR**  
 14 **ABUTTING LAND THAT IS PRIVATELY OWNED, THE INSTITUTION SHALL MAKE**  
 15 **REASONABLE EFFORTS TO PROVIDE NOTICE OF THE PROPOSED NEW**  
 16 **STRUCTURE OR MODIFICATION OF THE STRUCTURE ELECTRONICALLY OR BY**  
 17 **FIRST-CLASS MAIL TO:**

18                   **~~(1) PROVIDE NOTICE OF THE DESIGN OR MODIFICATION TO~~**  
 19 **~~COMMUNITIES LOCATED WITHIN 3 MILES OF THE PROPOSED CONSTRUCTION~~**  
 20 **~~SITE; AND~~**

21                   **~~(2) CONSULT WITH COMMUNITIES LOCATED WITHIN 3 MILES OF~~**  
 22 **~~THE PROPOSED CONSTRUCTION SITE THROUGH MEETINGS WITH LOCAL CIVIC~~**  
 23 **~~ASSOCIATIONS, GOVERNMENT AGENCIES, AND OTHER INTERESTED PARTIES~~**  
 24 **~~REGARDING THE PROJECT DESIGN AND METHODS TO MINIMIZE ADVERSE~~**  
 25 **~~EFFECTS ON THESE COMMUNITIES INCLUDING:~~**

26                   **~~(I) NOISE;~~**

27                   **~~(II) TRAFFIC;~~**

28                   **~~(III) POLLUTION;~~**

29                   **~~(IV) LOSS OF OPEN SPACE; AND~~**

30                   **~~(V) OTHER DETRIMENTS.~~**

31                   **(1) ALL ADJOINING PROPERTY OWNERS, INCLUDING OWNERS**  
 32 **WHOSE PROPERTIES LIE DIRECTLY ACROSS A STREET, ALLEY, OR STREAM, IF**

1 THE NEW OR MODIFIED STRUCTURE IS VISIBLE FROM THE ADJOINING  
2 PROPERTY; AND

3 (2) EVERY LOCAL GOVERNING BODY LOCATED WITHIN 1 MILE OF  
4 THE PROJECT SITE.

5 ~~(B)~~ (C) A LOCAL GOVERNING BODY THAT RECEIVES NOTICE UNDER  
6 SUBSECTION ~~(A)(2)~~ (B)(2) OF THIS SECTION SHALL POST THE NOTICE ON THE  
7 WEBSITE OF THE LOCAL GOVERNING BODY.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2010.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.